

Convoy occupation: incenting compliance for commercial operators

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Minister,

As per our quick conversation yesterday, TC is now stepping up the licensing/insurance discussion with local and provincial partners to advocate a maximum enforcement strategy.

If you are talking to a provincial counterparts, I would say there are a few key messages, that go beyond asking them to simply apply the law, along the following lines. Below is a summary example of a couple of clear violations of the Highways Act at play. Attached are the detailed of a maximum enforcement strategy we are advocating with our provincial and local partners.

Key Messages for Provincial Minister (related to Ottawa occupation):

In Ottawa, the City and Police have made it clear to federal officials they need more tools and resources to bring this to an end.

One is clearly using the provincial authorities under the Highway Traffic Act and other legislation to enforce violations of provincial transportation regulations by the commercial operators involved in this illegal occupation. It involves ticketing and applying penalties for clear infractions of the Highways Act (see below).

But it would involve a lot more. For example if MOT were to immediate apply a maximum enforcement strategy against these violations, and communicate this to the owners of the trucks involved in the blockade, it would change their incentives.

For example, your Ministry could change the incentives for compliance significantly if the regulator started communicating to the owners that it is using all flexibility under the Act to suspend Commercial Vehicle Operators Registrations (CVORs) for any vehicle and are asking insurance companies to cancel insurance for any vehicle that is participating in the blockade after a set deadline. The OPS have already mapped every truck, so the info is available to do this.

Of course the details of enforcement should be left up to enforcement officials, but I believe it is essential to use all legal authorities available to resolve the Stet of Emergency in the City of Ottawa. My officials have indicated to me that if these transportation operators whose continued unlawful conduct has created a large scale emergency and related public safety risks, were federally regulated (e.g. boats or planes), Transport Canada would be implementing this maximum enforcement strategy. I am requesting that Ontario do the same, as they are regulated by you.

Michael

Examples - Ontario Highway Traffic Act

- Under s.132, no motor **vehicle shall be driven on a highway at such a slow rate** of speed as to impede or block the normal and reasonable movement of traffic thereon.....” If a driver disobeys this law, they can lose two demerit points and receive a fine of \$110.
- Under s.75(4), no person in control or charge of a motor vehicle shall **sound any bell, horn or other signalling device so as to make an unreasonable noise**. If a driver disobeys this law, they can lose two demerit points and receive a fine of \$85

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(pronoun: he/him - pronom d’usage : il)